

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEBRA F. JODOIN,

Plaintiff,

CASE NUMBER: 11-13630
HONORABLE VICTORIA A. ROBERTS

v.

WILLIAM BEAUMONT HOSPITAL, et al.

Defendants.

ORDER GRANTING IFP AND DISMISSING CASE

On August 24, 2010, Plaintiff filed a Complaint on behalf of the Estate of Harvey Schwartz and asked the Court to proceed *in forma pauperis*. Plaintiff says the Court has federal question jurisdiction pursuant to 28 U.S.C. § 1331. However, Plaintiff's claim is a personal injury/medical malpractice suit against William Beaumont Hospital and its physicians, nurses, and other staff for the negligent treatment, premature release, and eventual death of Mr. Schwartz. This Complaint does not present a federal question. See 28 U.S.C. § 1331 (Federal questions are present in "civil actions arising under the Constitution, laws, or treaties of the United States.").

Therefore, the Application to Proceed *in forma pauperis* is GRANTED and this action is **DISMISSED** without prejudice for lack of jurisdiction.

IT IS ORDERED.

Dated: September 1, 2011

S/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

The undersigned certifies that a copy of this document was served on the attorneys of record and Debra F. Jodin by electronic means or U.S. Mail on September 1, 2011.

s/Carol A. Pinegar _____
Deputy Clerk